


ORIGINAL

Approved:


 ELIZABETH A. ESPINOSA
 Assistant United States Attorney

Before: THE HONORABLE GABRIEL W. GORENSTEIN
 United States Chief Magistrate Judge
 Southern District of New York

- - - - - X
 UNITED STATES OF AMERICA : 19 Mag. _____
 :
 - v. - : RULE 5(c) (3)
 : AFFIDAVIT
 GREGORY ABBOTT, :
 :
 Defendant. :
 :
 - - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss:

19 MAG . 2399

SHANNON BIENIEK, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

1. On or about March 11, 2019, the United States District Court for the District of Massachusetts issued a warrant for the arrest (the "Arrest Warrant") of "Gregory Abbott" based on complaint charging "Gregory Abbott" with one count of violating 18 U.S.C. § 1349 (conspiracy to commit mail fraud and honest services mail fraud). A copy of the Arrest Warrant and the complaint are attached as Exhibit A hereto and incorporated by reference herein.

2. I believe that GREGORY ABBOTT, the defendant, who was arrested by the FBI on March 12, 2019, in the Southern District of New York, is the same person as the "Gregory Abbott" who is wanted by the United States District Court for the District of Massachusetts.

3. The bases for my knowledge and for the foregoing charge are, in part, as follows:

a. I am a Special Agent with the FBI. I have been personally involved in determining whether GREGORY ABBOTT, the defendant, is the same individual as the "Gregory Abbott" named in the Arrest Warrant. Because this

Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

b. Based on my review of documents from proceedings in the United States District Court for the District of Massachusetts, I know that, on or about March 11, 2019, the United States District Court for the District of Massachusetts issued the Arrest Warrant. The Arrest Warrant was based on a complaint charging "Gregory Abbott" with one count of violating 18 U.S.C. § 1349 (conspiracy to commit mail fraud and honest services mail fraud). The complaint was issued in connection with case number 19-MJ-6087-MPK in the District of Massachusetts.

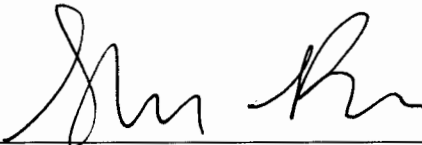
c. On March 12, 2019, at approximately 6:00 a.m., GREGORY ABBOTT, the defendant, was arrested by the FBI. At the time of arrest, ABBOTT admitted to me that his name is "Gregory Abbott." ABBOTT also provided a copy of a United States Passport in the name "Gregory Abbott" and bearing his photograph.

d. I have received from other law enforcement officers photographs of the "Gregory Abbott" named and sought in the Arrest Warrant. Based on my personal observations, the photograph provided by other law enforcement officers appears to depict GREGORY ABBOTT, the defendant.

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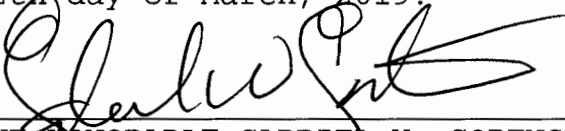
4. Accordingly, I believe that the "Gregory Abbott" sought in the Arrest Warrant is the defendant, GREGORY ABBOTT.

WHEREFORE, I respectfully request that GREGORY ABBOTT, the defendant, be imprisoned or bailed as the case may be.



SHANNON BIENIEK
Special Agent
Federal Bureau of Investigation

Sworn to before me this
12th day of March, 2019.



THE HONORABLE GABRIEL W. GORENSTEIN
United States Chief Magistrate Judge
Southern District of New York

EXHIBIT A

JS 45 (5/97) - (Revised U.S.D.C. MA 3/25/2011)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency FBICity Boston**Related Case Information:**County MiddlesexSuperseding Ind./ Inf. _____ Case No. 19-MJ-6087-MPKSame Defendant _____ New Defendant X

Magistrate Judge Case Number _____

Search Warrant Case Number See additional information

R 20/R 40 from District of _____

Defendant Information:Defendant Name Gregory Abbott Juvenile: ☐ Yes ☒ NoIs this person an attorney and/or a member of any state/federal bar: ☐ Yes ☒ No

Alias Name _____

Address (City & State) New York, NYBirth date (Yr only): 1950 SSN (last4#): 6967 Sex M Race: White Nationality: USA

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA Eric S. Rosen Bar Number if applicable NY4412326Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Victims: ☒ Yes ☐ No If yes, are there multiple crime victims under 18 USC§3771(d)(2) ☒ Yes ☐ NoMatter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty ☐ Misdemeanor ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: March 11, 2019Signature of AUSA: 

JS 45 (5/97) (Revised U.S.D.C. MA 12/7/05) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk):

19-MJ-6087-MPKName of Defendant Gregory Abbott

U.S.C. Citations		
<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. 1349</u>	<u>Conspiracy to Commit Mail Fraud</u>	<u>1</u>
	<u>& Honest Services Mail Fraud</u>	
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: 18-6218-MPK, 18-6237-MPK, 18-6236-MPK, 18-6234-MPK, 18-6238-MPK18-6235-MPK, 18-6476-MPK, 18-6477-MPK, 18-6475-MPK, 18-6478-MPK, 18-6261-MPK, 18-6260-MPK19-6003-MPK, 19-6005-MPK, 19-6004-MPK, 19-6006-MPK, 18-6240-MPK, 18-6310-MPK, 18-6474-MPK, 18-6474-MPK18-7227-MPK, 19-6029-MPK, 19-6030-MPK

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of MassachusettsUnited States of America
v.
GREGORY ABBOTT

Case No. 19-MJ-6087-MPK

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

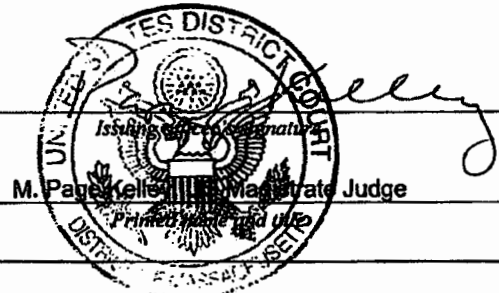
YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) GREGORY ABBOTT,

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to Commit Mail Fraud and Honest Services Mail Fraud (18 U.S.C. § 1349)

Date: 03/11/2019City and state: Boston, MA

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

AO 442 (Rev. 11/11) Arrest Warrant (Page 2)

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: Gregory Abbott

Known aliases: _____

Last known residence: 1020 5th Avenue, Apt 4A, New York, NY 10028

Prior addresses to which defendant/offender may still have ties: 1200 Kessler Dr., Aspen, CO 81611

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 05/02/1950

Social Security number: 105-38-6967

Height: _____

Weight: _____

Sex: M

Race: White

Hair: _____

Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America

v.

GREGORY ABBOTT, MARCIA ABBOTT, GAMAL
ABDELAZIZ, DIANE BLAKE, TODD BLAKE, JANE
BUCKINGHAM, GORDON CAPLAN, I-HSIN CHEN
(see below for additional names)

Case No.

MJ No. 19-6087-MPK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2011 to the present in the county of Suffolk and elsewhere in the
District of Massachusetts, the defendant(s) violated:

Code Section

18 USC 1349

Offense Description

Conspiracy to commit mail fraud and honest services mail fraud

This criminal complaint is based on these facts:

See Affidavit of FBI SA Laura Smith. Amy and Gregory Colburn, Robert Flaxman, Mossimo Giannulli, Elizabeth and Manuel Henriquez, Douglas Hodge, Felicity Huffman, Agustin Huneeus Jr., Bruce and Davina Isackson, Michelle Janavs, Elisabeth Kimmel, Marjorie Klapper, Lori Loughlin, Toby MacFarlane, William McGlashan Jr., Marci Palatella, Peter Jan Sartorio, Stephen Semprevivo, Devin Sloane, John Wilson, Homayoun Zadeh, Robert Zangrillo

☐ Continued on the attached sheet.

Laura Smith
Complainant's signature

Laura Smith, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/11/2019

City and state: Boston, Massachusetts



19 MAG 12 09

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Laura Smith, being duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the Boston, Massachusetts Field Office. I joined the FBI in 2010 as a forensic accountant conducting complex financial investigations. I am currently a special agent on a squad that investigates economic crimes, including various forms of corporate fraud, securities fraud and bribery. I hold a Bachelor's degree in Criminal Justice-Economic Crimes Investigation and a Master's degree in Accounting. As an FBI Special Agent, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), in that I am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

2. I make this affidavit in support of criminal complaints charging the following individuals (collectively, "the defendants") with conspiracy to commit mail fraud and honest services mail fraud, in violation of Title 18, United States Code, Section 1349:

DEFENDANT	PAGE
GREGORY ABBOTT	36
MARCIA ABBOTT	36
GAMAL ABDELAZIZ	83
DIANE BLAKE	169
TODD BLAKE	169
JANE BUCKINGHAM	15
GORDON CAPLAN	22
I-HSIN "JOEY" CHEN	42
AMY COLBURN	193